

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	
vs.)	CASE NO. DNCW3:12CR207
)	(Financial Litigation Unit)
)	
TIMOTHY EUGENE BROWN,)	
Defendant.)	

**ORDER TO AUTHORIZE PAYMENT
FROM INMATE TRUST ACCOUNT**

THIS MATTER is before the Court on the Government's Motion to Authorize Payment from Inmate Trust Account (Doc. No. 28), and on Defendant's pro se Motion Requesting the Court to Issue Payment Schedule in re: Restitution (Doc. No. 25).

Upon motion of the United States for the reasons stated therein and for good cause shown, it is **ORDERED** that the Motion of United States of America to Authorize Payment from Inmate Trust Account (Doc. No. 28) is **GRANTED**.

To this extent, and for the reasons stated in the Government's brief in opposition to Defendant's pro se motion, Defendant's Motion Requesting the Court to Issue Payment Schedule in re: Restitution (Doc. No. 25) is **DENIED**. As the Government notes in its brief opposing Defendant's motion, the Government was authorized to encumber funds in Defendant's inmate trust account and to seek payment of restitution from Defendant's inmate trust account in the amount of \$7,509.00. The Mandatory Victim Restitution Act explicitly provides that substantial resources received from any source during a term of incarceration be applied to restitution. 18 U.S.C. § 3664(n). Alternatively, the Court has the authority to adjust the Defendant's payment

schedule to require a lump-sum payment based on a material change in the Defendant's economic circumstances. 18 U.S.C. § 3664(k).

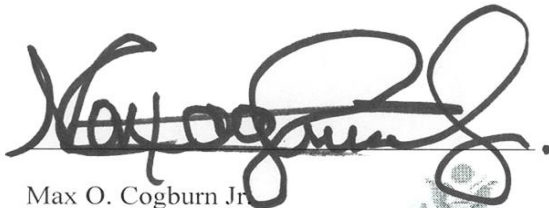
It is, therefore, ORDERED, ADJUDGED and DECREED that:

1. The Bureau of Prisons is authorized to turn over funds in the amount of \$7,509.00 to the Office of the United States District Court, Clerk of Court for the Western District of North Carolina, and the Clerk of Court shall accept said funds currently held in the trust account for the following inmate:

Timothy Eugene Brown
Register Number: 27604-058

2. The Clerk shall apply these funds as payment for the criminal monetary penalties owed by the Defendant in this case.

Signed: October 22, 2021



Max O. Cogburn Jr.
United States District Judge